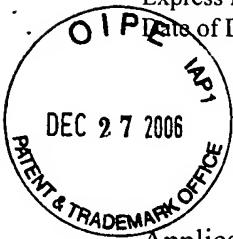


12-29-06

IPW

Attorney Docket No. 34585-515 NATL



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/583,830  
Applicants : Michael MACALUSO, et al.  
Filed : June 21, 2006  
Title : **POWER LINE COMMUNICATIONS DEVICE IN WHICH  
PHYSICAL COMMUNICATIONS PROTOCOL LAYER  
OPERATION IS DYNAMICALLY SELECTABLE**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pgs.);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. References (five non-patent literature documents);
4. Copy of International Search Report and Written Opinion dated September 28, 2006; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 212-935-3000, New York, New York. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34585-515 NATL**, Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed.

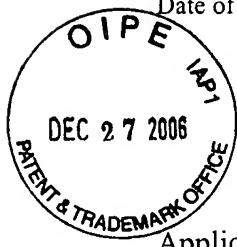
December 27, 2006

Respectfully submitted,

  
Richard G. Gervase, Reg. No. 46,725  
Peter F. Snell, Reg. No. 52,325  
Attorneys for Applicants  
MINTZ, LEVIN, COHN FERRIS,  
GLOVSKY AND POPEO, P.C.  
The Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Tel: (212) 935-3000  
Fax: (212) 983-3115

Express Mail Label No.: EV 873 102 532 US  
Date of Deposit: December 27, 2006

Attorney Docket No. 34585-515 NATL



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/583,830

Applicants : Michael MACALUSO, et al.

Filed : June 21, 2006

Examiner : Not Yet Assigned

Title : **POWER LINE COMMUNICATIONS DEVICE IN WHICH  
PHYSICAL COMMUNICATIONS PROTOCOL LAYER  
OPERATION IS DYNAMICALLY SELECTABLE**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the enclosed modified Form 1449/PTO (submitted in duplicate) in the above-identified application. These documents were cited in the September 28, 2006 International Search Report and Written Opinion in counterpart PCT Application No. PCT/US04/43258. For the Examiner's convenience, a copy of the International Search Report and Written Opinion is enclosed.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits. Accordingly, no fee is required. 37 C.F.R. § 1.97 (b)(3).

Under 37 C.F.R. § 1.98(a)(2), copies of the non-patent literature documents are enclosed. No copies of the cited U.S. patent/publication documents are enclosed, pursuant to the U.S. Patent Office's waiver of 37 C.F.R. § 1.98(a)(2)(i). It is respectfully requested that these references be: (1) fully considered by the Patent Office during prosecution of this application;

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Date of Deposit: December 27, 2006

Attorney Docket No. 34585-515 NATL

and (2) printed on the face of any patent which may issue on this application. Applicants request that a copy of Form 1449/PTO, as considered and initialed by the Examiner, be returned with the next communication to Applicants.

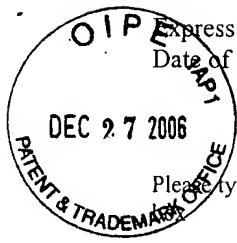
By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

An early and favorable action is hereby requested. Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **34585-515 NATL**, Customer No. **35437**.

December 27, 2006

Respectfully submitted,

  
Richard G. Gervase, Reg. No. 46,725  
Peter F. Snell, Reg. No. 52,325  
Attorneys for Applicants  
MINTZ, LEVIN, COHN FERRIS,  
GLOVSKY AND POPEO, P.C.  
The Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Tel: (212) 935-3000  
Fax: (212) 983-3115



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Attorney Docket No. 34585-515 NATL

Please type a plus sign (+) in this  +

Modified Form 1449/PTO				Application Number	10/583,830		
INFORMATION DISCLOSURE				Filing Date	June 21, 2006		
STATEMENT BY APPLICANT				First Named Inventor	Michael MACALUSO		
(use as many sheets as necessary)				Group Art Unit	Not Yet Assigned		
				Examiner Name	Not Yet Assigned		
				Attorney Docket Number	34585-515 NATL		
<b>U.S. PATENT DOCUMENTS</b>							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
		20010028678	May 8, 2001	Kato et al.			
		20020006167 A1	April 20, 2001	McFarland			
		7,075,941 B2	March 1, 2001	Liu et al.			
		5,909,463 A	November 4, 1996	Johnson et al.			

<b>FOREIGN PATENT DOCUMENTS</b>						
Exam Initials	Cite No.	Foreign Patent Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
<b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>						
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.				
	D1	Lee et al. "HomePlug 1.0 powerline communication LANs - protocol description and performance results", International Journal of Communication Systems, Volume 16, Issue 5, Pages: 447-473, June 2003				
	D2	Rauschmayer, "ADSL/VDSL Principles", Macmillan Technical Publishing, page 171, 1999				
	D3	ITU-T "G.992.1 Recommendation", ITU-T, pages 9-13, June 1999				
	D4	Gardner "HomePlug Standard Brings Networking to the Home", Communication Systems Design, Volume 6, Number 12, December 2000				
	D5	Lee et al. "HomePlug 1.0 powerline communication LANs - protocol description and performance results version 5.4", International Journal of Communication Systems, Pages: 1-25, 2000				
Examiner Signature					Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.